

SENATE CHAMBER,
AUSTIN, TEXAS, Wednesday, May 24, 1871. }

Senate met pursuant to adjournment; President Campbell presiding.

Roll called; quorum present.

Absent—Senators Douglass, Mills, Parsons and Pickett.

Absent—excused—Senator Evans.

Prayer by the Chaplain.

Senators Mills and Parsons appeared and answered to their names.

Reading of the journal of yesterday.

Pending the reading of the journal of yesterday a special message from the Governor by his Private Secretary was announced as follows:

GOVERNOR'S OFFICE,
AUSTIN, May 24, 1871.

Hon. DON CAMPBELL,

President of the Senate:

SIR: I return to the Senate, where it originated, the act entitled "An act to amend the fifth section of an act passed the first day of October, A. D. 1866, entitled 'an act to incorporate the Rio Grande Railroad Company.'"

If good in other respects, this act would be objectionable because, by reviving or extending a charter granted by the Provisional Legislature of 1866, it proposes to revive a land grant given in said charter, which is contrary to the Constitution, section six, article ten.

But the act now returned is subject to another fundamental obligation. It attempts to "amend" the said charter of 1866. Now that charter, in its fifth section, (which is the section proposed to be amended,) provides that "said company shall commence said road within one year from the passage of this act, and shall complete the same within five years thereafter as far as Brownsville, otherwise this act to be null and void and the charter forfeited." As the company did not commence the road within one year, and, in fact, has not commenced it at all, their charter was "forfeited" and became "null and void" by the terms thereof, and, being a nullity, of course could not be *amended*.

In the meantime this Legislature, at its last session, granted a charter for a railroad on the same ground to another set of incorporators. This charter is still existing and should not be disturbed.

in favor of parties who have shown so little disposition to take advantage of their privileges.

Very respectfully,
EDMUND J. DAVIS,
Governor.

Message and bill read.

The Senate proceeded to the consideration of the message.

The question being "Will the Senate, upon reconsideration, agree to pass the bill?" yeas and nays taken and the Senate, upon reconsideration, did not agree to pass the bill (Senate bill No. 416) by the following vote:

Yeas—Broughton, Flanagan, Ford, Fountain, Parsons, Pridgen, Pyle, Saylor, Shannon—9.

Nays—Mr. President, Baker, Bowers, Dohoney, Gaines, Hall, Hertzberg, Hillebrand, Latimer, Pettit, Rawson, Ruby—12.

Reading of the journal of yesterday resumed.

Journal read and approved.

By leave, Senator Fountain introduced a resolution (Senate joint resolution No. 38), "Joint resolution instructing our Senators and requesting our representatives in Congress to favor any measure or bill for the repeal of the Zona Libre." Read first time, as follows:

WHEREAS, The Governor of the Mexican State of Tamaulipas, about the year 1857, issued a decree establishing a free belt six miles in width and extending from the mouth of the Rio Grande to the upper boundary line of said State, a distance of more than three hundred miles, and said decree provided that goods, wares and merchandise should be introduced into any port or place within said free belt free of duty, and said decree provided for the removal of merchandise from this bank of the Rio Grande to the other, and otherwise indicated that the object in issuing said decree was to injure the commerce and the revenues of the United States, and to depopulate the American side of the Rio Grande;

Whereas, The supreme government of Mexico, under the pressure of threats that the people of Tamaulipas would take no part in the war of intervention, did approve said Zona Libre decree, and the same became a law, notwithstanding it was in direct violation of the Mexican Constitution;

Whereas, Under the operation of this law, which discriminated against our commerce and merchants, the mercantile business on this side of the Rio Grande, decreased steadily, and the growth of our towns was retarded and a general paralyzation of business ensued, and in view of these facts, the Government of the United States requested that of Mexico to repeal the law; and the reply to this friendly request was the passing of two separate bills, by the Mexi-

can Congress, extending the free belt to Pass del Norte, more than three times its original length; and the open avowal on the part of the advocates of the Zona Libre, that they were actuated to do so because the United States had "demanded" its abolition, and other declarations, made it evident that the spirit prevailing was not that of friendship for a neighbor that had extended kind treatment to the Mexican Republic in the hour of danger and peril; and

Whereas, The said Zona Libre operates only to the benefit of a few Mexican merchants, at the expense of the revenues of the United States, and to the serious injury of American merchants on the Rio Grande; in view of these facts

Be it Resolved by the Senate and House of Representatives of the State of Texas, That our Senators in the Congress of the United States be instructed and our Representatives be respectfully requested to support any measure or bill, having for its object the repeal of the Zona Libre law, or proposing any law or regulation by way of retaliation or redress, which may come before Congress or be initiated by our Government.

Senator Parsons moved to suspend the rules to read the resolution a second time. Lost.

Senator Mills arose to a question of privilege, stating that a personal difficulty having occurred between certain officers of the Senate, in the Senate Chamber, the said officers had been summoned to appear for trial before the Mayor of the city of Austin, and asked the decision of the Chair as to whether the city of Austin had jurisdiction in the premises, said difficulty having taken place within the Senate Chamber, and between officers of the Senate.

The President ruled that, as the difficulty had occurred while the Senate was not in session, the Senate had no jurisdiction in the matter, and that the parties were amenable to the laws and ordinances of the city of Austin.

11 o'CLOCK, A. M.

The hour having arrived for consideration of special order House bill No. 338, "An act to confer additional authority upon the Waco and Northwestern Railroad Company," on motion of Senator Bowers, the special order was postponed until 11 o'clock A. M., tomorrow.

Senator Mills moved that the Senate go into executive session to consider nominations by the Governor.

Yeas and nays called for, and motion to go into executive session lost by the following vote:

Yeas—Mr. President, Ford, Fountain, Gaines, Hertzberg, Mills, Pettit, Pridgen, Ruby, Tendick—10.

Nays—Baker, Bell, Bowers, Broughton, Cole, Dohoney, Flanagan, Hall, Hillebrand, Latimer, Parsons, Rawson, Shannon—13.

MESSAGES.

Message from the House by the Chief Clerk, Mr. Ketchum, transmitting for concurrence the following House bill:

House bill No. 642, "An act to incorporate the Texas Wine Company."

Also, informing the Senate that the House had passed without amendments the following Senate bills:

Senate bill No. 64, "An act to authorize the District Attorney of the Thirtieth Judicial District to draw his salary from the date of filing his oath of office with the Secretary of State."

Senate bill No. 139, "An act to incorporate the Lavaca and Navidad Rivers, Navigation and Dredging Company."

Senate bill No. 223, "An act authorizing the compromise of certain suits brought by the State in the District Court of Colorado county."

Also, transmitting to the Senate House bill No. 364, "An act for the relief of John Hawkins Brown," together with the veto message of the Governor on the same, as follows:

GOVERNOR'S OFFICE,
AUSTIN, May 22, 1871.

Hon. WM. H. SINCLAIR,

Speaker of the House of Representatives:

SIR: I return to the House of Representatives, where it originated, "An act for the relief of John Hawkins Brown." This is a land grant, and void under section six, of article ten, of the Constitution.

Respectfully,

EDMUND J. DAVIS,
Governor.

And informing the Senate that the House, upon reconsideration, had agreed to pass the bill notwithstanding the objections of the Governor.

Also, informing the Senate that the House agrees to Senate amendments to House bill No. 526, entitled "An act to organize and incorporate the Austin and Red River Railroad Company."

Also, transmitting for signature the following enrolled House bills:

House joint resolution No. 31, "Joint resolution authorizing the Governor of the State to invite the Hon. Horace Greeley to visit the capital of the State."

House bill No. 192, "An act to incorporate the Cedar Bayou Bar Company."

House bill No. 342, "An act to incorporate the Glover Male and Female Academy."

House bill No. 460, "An act to authorize Howard Keyes to erect a toll bridge at Crocket bluff, on Sabine river."

House bill No. 475, "An act to incorporate the Texas Cotton Press and Manufacturing Company."

House bill No. 680, "An act to prohibit the sale of intoxicating and spirituous liquors in and within two miles of the town of Elysian Field, in Harrison county."

Enrolled bills signed by the President in open session and returned to the House.

Under direction of the President, the Secretary returned to the House :

House bill No. 408, "An act to incorporate the Corpus Christi and Rio Grande Railroad Company," and informing the House that the Senate had passed the same without amendments.

Also, returning House bill No. 486, "An act to establish a ferry across the Brazos river, at a convenient point three miles below the falls of the Brazos, on the new road leading from Powers's school house to Bremond, in Falls county," informing the House that the Senate had passed the same with amendments.

Also, transmitting for signature of the Speaker the following enrolled Senate bills :

Senate joint resolution No. 37, "Instructing our Senators and requesting our Representatives in Congress to use their influence in the passage of such an act by the United States Congress as shall incorporate the name of Commodore John G. Tod in the navy of the United States in the same rank held by him in the Texas navy, at the date of annexation."

Senate bill No. 332, "An act regulating appeals in criminal cases."

Senate bill No. 392, "An act for the relief of J. Wadsworth."

Senate bill No. 410, "An act to levy a special tax in the county of Van Zandt."

Enrolled bills signed by the Speaker, returned to the Senate and signed by the President in open session.

Senator Ruby submitted the following report of Committee on Engrossed Bills:

COMMITTEE ROOM,
AUSTIN, May 24, 1871.

Hon. DON CAMPBELL,

President of the Senate:

SIR: Your Committee on Engrossed Bills, having examined and compared Senate bills No. 231, "An act to purchase for general distribution twenty thousand copies of a pamphlet written by James M. Morphis on Texas, its climate, soil, productions, trade, commerce

and inducements for immigration," and No. 435, "An act to incorporate the town of Dresden, in Navarro county," find the same to be correctly engrossed.

G. T. RUBY,
E. L. DOHONEY,
P. W. HALL.

Report read and received, and Senate bill No. 435 carried to the House for concurrence.

Senator Gaines moved to adjourn to 10 o'clock A. M. to-morrow. Yeas and nays called for and motion to adjourn lost by the following vote:

Yeas—Gaines, Mills—2.

Nays—Mr. President, Baker, Bell, Bowers, Cole, Dohoney, Flanagan, Ford, Fountain, Hall, Hertzberg, Hillebrand, Latimer, Parsons, Pettit, Pridgen, Pyle, Rawson, Ruby, Shannon, Tendency—21.

Senator Pridgen submitted the following report of Committee on Enrolled Bills:

COMMITTEE ROOM,
AUSTIN, May 23, 1871.

Hon. DON CAMPBELL.

President of the Senate:

SIR: Your Committee on Enrolled Bills having examined and find correctly enrolled the following Senate bills, to-wit: No. 32, entitled "An act to prohibit the sale or otherwise disposing of spirituous or intoxicating liquors within two miles of Douglassville College, in Davis county, Texas; No. 284, entitled "An act to incorporate Columbus Lodge No. 51, I. O. O. F.; No. 308, entitled "An act to organize the Bureau of Immigration; No. 330, entitled "An act to incorporate the Hebrew Benevolent Association of Brenham; No. 434, entitled an act to amend an act entitled an act to incorporate the Navasota and Washington county Ferry Company;" and to-day, at 5 o'clock P. M., presented them to the Governor for his approval.

B. J. PRIDGEN,
Chairman.

Report read and received.

On motion of Senator Pyle, Senator Pickett was excused for the day on account of sickness.

Senator Pridgen submitted the following report of the Select Committee on account of Wm. Scanlon, Deputy Sergeant-at-Arms:

COMMITTEE ROOM,
AUSTIN, May 22, 1871.

Hon. DON CAMPBELL,

President of the Senate:

SIR: Your Special Committee, to whom was referred the account of William Scanlon, Deputy Sergeant-at-Arms, to summon witnesses to appear before the high court of impeachment in the case of the State of Texas *vs.* Wm. H. Russell, Judge of the Fifteenth Judicial District, have duly considered the same, and I am instructed to report back the following account, and recommend its payment out of the contingent fund of Senate, to-wit:

The State of Texas,

To Wm. Scanlon, Deputy Sergeant-at-Arms,	Dr.
For 300 miles traveled by himself and four deputies, at	
12½ cents per mile.....	\$37 50
For 17 witnesses subpoenaed, at 50 cents each.....	8 50
For per diem for two days, at \$8 per day.....	16 00
Total.....	\$62 00

B. J. PRIDGEN,
Chairman.

Report read.

Senator Gaines moved to suspend the rules to consider the report. Yeas and nays called for.

Senator Mills moved a call of the Senate. Call sustained.

Absent—unexcused—Senators Douglass, Pettit, Saylor and Tendick.

The Sergeant-at-Arms was dispatched for the absentees.

Senators Pettit, Saylor and Tendick appeared, answered to their names and offered their excuses for absence, which were accepted by the Senate.

On motion of Senator Gaines, the call was suspended.

Senator Fountain moved a call of the Senate. Call sustained.

Absent—unexcused—Senator Douglass.

Senator Douglass appeared and answered to his name.

Call suspended.

11:30 O'CLOCK A. M.

The hour having arrived for the consideration of special order, Senate bill No. 419, "An act concerning private corporations,"

Senator Bowers moved to postpone the same until to-morrow at 11:30 o'clock A. M. Yeas and nays called for and special order postponed by the following vote:

Yeas—Baker, Bell, Bowers, Broughton, Cole, Dohoney, Doug-

lass, Flanagan, Hall, Latimer, Parsons, Pridgen, Pyle, Rawson, Shannon—15.

Nays—Mr. President, Ford, Fountain, Gaines, Hertzberg, Hillebrand, Mills, Pettit, Ruby, Saylor, Tendick—11.

MESSAGE.

Message from the House by the Chief Clerk, Mr. Ketchum, transmitting to the Senate House bill No. 505, "An act to encourage the speedy construction of a railway through the State of Texas to the Pacific Ocean," together with the veto message of the Governor on the same, and informing the Senate that the House had, upon reconsideration, agreed to pass the bill, notwithstanding the objections of the Governor thereto.

Senator Fountain arose to a question of privilege and moved that the Senate at once proceed to consider the veto message of the Governor upon House bill No. 505, "An act to encourage the speedy construction of a railway through the State of Texas to the Pacific Ocean."

Message read as follows:

GOVERNOR'S OFFICE,
AUSTIN, May 24, 1871.

Hon. WM. H. SINCLAIR,

Speaker of the House of Representatives:

SIR: I return to the House of Representatives, where it origi-

nated, "An act to encourage the speedy construction of a railway through the State of Texas to the Pacific Ocean."

I do not think the history of legislation in our State, or, perhaps, in any of the United States, anywhere presents the case of an act embracing more features of antagonism to the Constitution, or more hostile in its spirit and purpose to the true interest of the people.

At the outset, the title which should "embrace but one object and that shall be expressed" (section seventeen, article twelve Constitution), actually covers up a bill embracing *several* objects, *none of which are expressed*. It pretends, in the title, to be for the purpose of "encouraging the speedy construction of a railway through the State of Texas to the Pacific Ocean;" but it in fact makes an enormous donation to two parallel roads, running but a few miles apart, through one section of the State, from its eastern boundary to a junction some three hundred and fifty miles west, neither of which is the "Texas Pacific," chartered by the United States (the only one likely to go through Texas to the Pacific Ocean), and neither is ever expected to be built to the Pacific, unless sold out to the said road chartered by the United States.

If this large bonus is in good faith intended to encourage the construction of a road to the Pacific, why is not the donation made contingent on the completion of it to the Pacific, or, at any rate, through the territories of Texas? Both the roads subsidized in the body of the act may receive the full amount contemplated, and yet no road ever be built to the Pacific, or even pass beyond the present line of settlements of Texas. In fact, the donation is given through that part of the State, already so well settled, that the ordinary receipts to be expected will pay good interest on the capital invested, and where, accordingly, no donation is necessary to secure the construction, while that part of the "Texas Pacific" road, which passes through the desert, is left to take care of itself.

The latter circumstance disposes of a flimsy argument advanced in support of this extravagant bill—that it will furnish protection to the frontier. Neither of the branches subsidized reach the frontier, and if they are built, the suffering people of the frontier are likely to be as far as ever from relief. Not a dollar of the donation in money, or an acre of the public land, proposed to be substituted for the money donation, is given to aid any road passing beyond the settlements.

A further objection to this act suggests itself, which alone is sufficient to condemn it. The Constitution prohibits the granting of lands "except to actual settlers upon the same, and in lots not exceeding 160 acres," but it is here proposed to coerce the people of the State into an amendment of their Constitution on pain of forfeiture of six million dollars (\$6,000,000) in case of failure to amend.

If this act becomes a law, it will operate as a threat to the people: "Vote us your lands, or prepare yourselves to pay into our pockets annually, for more than a quarter of a century to come, an amount as large as it now costs you to support your State Government." If this is not substantially, the purpose of the exchange of lands for money, proposed in section five, then said section, and all that follows, relating to this exchange, is mere surplusage, null and void, and ought to have been stricken out of the act. But if it were proper to thus attempt to force the people of the State to this amendment, yet the provision for the land grant is extravagant and intolerable. The quantity of land proposed to be given amounts to twenty-four (24) sections (or 15,360 acres) for each mile, or a total for the two roads (on a basis of 350 miles to each) of sixteen thousand and eight hundred (16,800) sections, or ten millions, seven hundred and fifty-two thousand (10,752,000) acres.

This, however, is not all, for it must be borne in mind, that these two roads, "Southern Pacific" and "Memphis, El Paso and Pa-

cific" (now "Transcontinental") claim that they are already entitled to sixteen (16) sections, or ten thousand two hundred and forty (10,240) acres, to the mile. Section nine of this act looks to the assertion of this claim. One of the companies (Memphis, El Paso and Pacific) has commenced suit against the State to establish it, and has recovered judgment thereon in the United States Circuit Court for the Western District of Texas. Assuming that their claim is valid, we must add to the enormous land grant asked in this act other sixteen (16) sections for each mile of one of the roads to El Paso, and of the other to the point of junction; say eleven hundred (1100) miles, or a total of eleven millions two hundred and sixty-four thousand (11,264,000) acres more. Therefore, if this act becomes a law and these roads be built, they expect to receive twenty-two millions and sixteen thousand (22,016,000) acres of land, a territory almost equal to the States of New Hampshire, Vermont, Massachusetts, Rhode Island and Connecticut combined.

In this connection I must ask the attention of the Legislature to the fact that if the Constitution should be amended to open again the public lands to these grants, then we have already more than disposed of all of them. There are eleven thousand nine hundred and eighty-five (11,985) miles of railroad now chartered (some of them in process of construction), which will, in the above event, be entitled to claim sixteen or more sections to the mile, and require more than one hundred and twenty-two millions (122,000,000) of acres to satisfy. Now, let it be remembered, that we only have in all some ninety millions of acres of these lands remaining, and that a large part of these will be covered by valid and equitable claims now outstanding.

If it is considered that we are bound to surrender all the balance of our public lands to the rapacious plunderers who, in the guise of corporations, infest and vex the Legislature with extravagant and insolent demands, and that the only prospect of a homestead on the public lands left to the landless is to be subject to a peonage or tenancy at the will of some corporation holding in mortmain these lands, still, I suggest it is time for us to stop the further giving of lands for the simple reason as above shown—that we have no more to give.

As a mere financial transaction this prodigious grant is very bad. The twenty-two millions of acres should alone build the road, and, in fact, there is no doubt that if so much of our territory were set apart for the purpose the road could thereby be built through our limits and remain the property of the State. But the parties asking this grant by no means intend such result. They propose that *the State shall build, but themselves shall own it.*

These roads (Southern Pacific and Memphis, El Paso and Pacific)

have not, by their management, promoted that confidence which would warrant further favors. Their past history furnishes reasons to believe that the promises set forth in the extended preamble of the act, are not likely to be verified in the result, but that this is only another of the transactions that have rendered suspicious the management of these roads, especially that of the Memphis, El Paso and Pacific. It is well known that the latter road has become involved in France to the amount of several millions of dollars, under circumstances that bear very much the appearance of fraud. In this connection, and as tending to show the purpose of the present demand for money or land, I call the attention of the Legislature to the terms of section six of the act of Congress of the United States, entitled "An act to incorporate the Texas Pacific Railroad Company and to aid in the construction of its road and for other purposes," approved March 3, 1871. The last sentence of that section contains the following: "but said company shall not assume the debts or obligations of any company with which it may consolidate as aforesaid, to an amount greater than the cash value of the assets received from the same." When it is recollected that the amount of liabilities incurred in France by the Memphis, El Paso and Pacific corresponds quite closely with the donation now asked, I think there is some reason to conclude that the people of Texas are, by this grant, to be made to pay up that swindle.

I trust the Legislature will, on a careful examination of the questions presented in this act come to the conclusion that enactments of this extraordinary nature should not be permitted, at least until after the questions involved have been submitted to the people, and assented to by them. It is more than probable that this heaping up of debt for the benefit of private individuals, unless by an affirmative vote of a majority of the whole people, will bring about repudiation of all donations. The Senate has at this session practically declared for repudiation of the bonds proposed at your last session to be issued to the International Railroad by a vote of seventeen to twelve. It will be seen that the money donation made to the International is the same as that proposed in this act. In the one case, as in the other, six millions of bonds bearing eight per cent. interest and payable thirty years from date, are donated, and the same provision made for the assessment of a tax by the Comptroller to pay the interest and principal. But when (the act giving effect to the several provisions of the Constitution concerning taxes being under discussion), on 6th of March last, it was proposed to add an amendment looking to the assessment of the tax called for by the "International" act, the Senate refused to do so by the following vote:

Yeas—Mr. President, Bell, Cole, Douglass, Flanagan, Ford, Fountain, Hall, Parsons, Pettit, Pyle, Ruby.—12.

Nays--Baker, Bowers, Broughton, Dillard, Dohoney, Evans, Gaines, Hertzberg, Hillebrand, Latimer, Mills, Pickett, Pridgen, Rawson, Saylor, Shannon, Tendick--17.

From the discussion that took place preceding this decisive vote, it is clear that the Senate thereby intended to declare against the constitutionality of the donation to the "International," and to repudiate it by leaving no means of enforcing the collection of the tax. Further, in the Senate at a subsequent day (17th of April last), the sections nine and ten of the "International" Railroad act, (which contains this donation) having been referred to a committee--Messrs. Pickett and Bowers of that committee, among other objections to the act, report as follows: "But section nine is believed to be obnoxious to another very strong constitutional objection, an objection fundamental and paramount. This section makes a donation to the International Railroad Company of ten thousand dollars for each mile of road the company may construct; and authorizes the levy of a tax upon the people of the State to pay said donation. In this, it is believed, the Legislature transcended its authority." Senator Dohoney, also of the committee, coincided with Messrs. Pickett and Bowers in the above opinion, and added the following: "Believing, however, that the Legislature had no authority to create the so-called debt provided for in section nine, of the aforesaid act, or to make the restriction contained in section ten, and that both said sections are nullities in law, I concur with the minority in the conclusion arrived at, "that the Legislature may properly repeal or wipe out said sections and substitute, if it sees proper, valid provisions in their stead." It is my belief that the doctrine adopted by these Senators is the correct and safe one, and that the Legislature has no constitutional power to tax the people for purely private or individual advantage, as is here proposed. (See opinion of Judge Cooley, in law periodical called *Bench and Bar*, for June, 1870.)

The International calls for an annual tax on the people of six hundred thousand dollars (\$600,000) to pay the interest and sinking fund of its bonds; and the act now under discussion calls for an equal tax. I fear that when the tax gatherer commences his round of collections of the twelve hundred thousand dollars (\$1,200,000) annually called for by these two acts, (more than it now costs to support the State government, including the school system and every other branch of expense,) this may cause the people, also, to conclude that the Legislature has, in this donation "*transcended the limits of its authority*," and thereupon "*wipe it out*."

I earnestly appeal to the Legislature to reconsider their action.

herein, and thereby avert this possibility, and the odium of repudiation.

Very respectfully,

EDMUND J. DAVIS,

Governor.

The question being, "Will the Senate upon reconsideration agree to pass the bill?"

Yeas and nays taken and the Senate, upon reconsideration, agreed to pass the bill by the following vote, two-thirds voting in the affirmative:

Yeas---Mr. President, Baker, Bell, Bowers, Broughton, Cole, Dohoney, Douglass, Flanagan, Ford, Fountain, Gaines, Hall, Latimer, Mills, Parsons, Pridgen, Pyle, Rawson, Ruby, Saylor, Shannon, Tendick--23.

Nays---Hertzberg, Hillebrand, Pettit, Pickett--4.

Senator Fountain moved to adjourn to 10 A. M. to-morrow.

Yeas and nays called, and motion carried by the following vote:

Yeas---Mr. President, Baker, Broughton, Cole, Dohoney, Douglass, Flanagan, Ford, Fountain, Gaines, Hertzberg, Hillebrand, Mills, Pettit, Pickett, Pridgen, Pyle, Rawson, Ruby, Shannon, Tendick--21.

Nays---Bell, Bowers, Hall, Parsons, Saylor--5.

So the Senate, at 1:30 P. M., adjourned to 10 A. M. to-morrow.
